

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

ORDER

APPLICATION 14882

PERMIT 9162

LICENSE 5411

ORDER ALLOWING CORRECTION OF DESCRIPTION  
OF POINT OF DIVERSION

WHEREAS License 5411 was issued to Harold C. Lacy and was filed with the County Recorder of Del Norte County on January 16, 1959, and

WHEREAS said license was subsequently assigned to Stuart Hardy, and

WHEREAS the State Water Rights Board has found that the correction of description of point of diversion under said license for which petition was submitted on July 30, 1962, will not operate to the injury of any other legal user of water, and

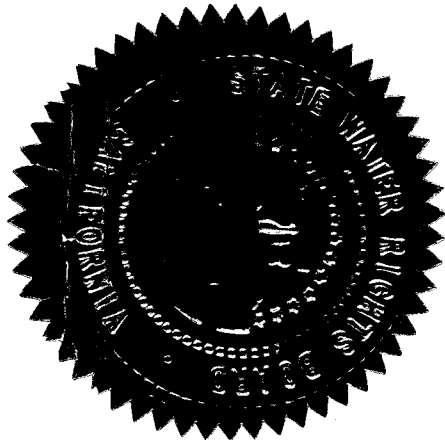
WHEREAS the Board has approved and allowed said change and has directed that an order be issued to describe said change in accordance with said petition;

NOW THEREFORE IT IS ORDERED that permission be and the same is hereby granted to correct the description of point of diversion under said License 5411 to read as follows, to wit:

AN UNNAMED SPRING TRIBUTARY TO SMITH RIVER LOCATED AS FOLLOWS:  
SOUTH TWO HUNDRED SEVENTY (270) FEET AND EAST THREE THOUSAND  
ONE HUNDRED FIFTY (3150) FEET FROM  $W\frac{1}{4}$  CORNER OF SECTION 9, T16N,  
R1E, HB&M, BEING WITHIN  $NW\frac{1}{4}$  OF  $SE\frac{1}{4}$  OF SAID SECTION 9.

WITNESS my hand and the seal of the State Water Rights Board of the State of California this 1st day of October, 1962

*L. K. Hill*  
L. K. Hill  
Executive Officer





STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 14882

PERMIT 9162

LICENSE 5411

THIS IS TO CERTIFY, That

Harold C. Lacy <sup>Notice of Assignment (Over)</sup>

P.O. Box 867

Crescent City, California

has made proof as of August 1, 1957

(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of an unnamed spring in Del Norte County

tributary to Little Mill Creek thence Smith River

for the purpose of domestic use

under Permit 9162 of the State Water Rights Board and that said right to the use of said water has been perfected in accordance with the laws of California, the Rules and Regulations of the State Water Rights Board and the terms of the said permit; that the priority of the right herein confirmed dates from June 27, 1952; and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to the amount actually beneficially used for said purposes and shall not exceed five hundred (500) gallons per day to be diverted from January 1 to December 31 of each year.

The point of diversion of such water is located:  
South three hundred twenty (320) feet and east three thousand three hundred twenty-five and ninety hundredths (3325.90) feet from W $\frac{1}{4}$  corner of Section 9, T16N, R1E, HB&M, being within NW $\frac{1}{4}$  of SE $\frac{1}{4}$  of said Section 9.

A description of the lands or the place where such water is put to beneficial use is as follows:  
Within NW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 9, T16N, R1E, HB&M.

All rights and privileges under this license including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the State Water Rights Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

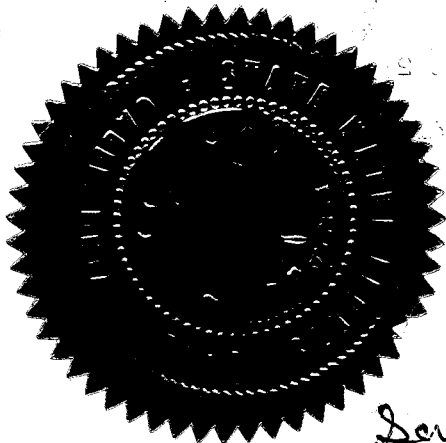
Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: JAN 14 '59



*L. K. Hill*  
L. K. Hill  
Executive Officer

8-20-62 RECEIVED NOTICE OF ASSIGNMENT TO Stuart Hardy

7/25/63 RECEIVED NOTICE OF ASSIGNMENT TO George E. and Betty M.

Sevenson; 10-13-99 Asgd to Adrien Nash;

LICENSE 5411

STATE OF CALIFORNIA

STATE WATER RIGHTS BOARD

LICENSE  
TO APPROPRIATE WATER

ISSUED TO Harold C. Lacy

JAN 14 '59

DATED

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